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Los Angeles Region

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Los Angeles Regional Water Quality Control Board

Minutes of the January 26, 2000 Board Meeting

Holiday Inn Pasadena, 303 E. Cordova

INTRODUCTION

1. The meeting was called to order by Chairman Nahai at 9:15 a.m.

Board Members Present

Susan Cloke, Jack Coe, Fran Diamond, Marilyn Lyon, Bob Miller, H. David Nahai, Tim Shaheen

Board Members Absent

None

Staff Present

Dennis Dickerson, Jorge Leon, Debbie Smith, David Bacharowski, Wendy Phillips, Xavier Swamikannu, Wayne Chiou, Jonathan Bishop, Jack Price, Ronji Harris, Robyn Goodman, Raymond Jay

Others Present

Numerous persons attended this meeting. Those who provided testimony are listed below.

Pledge of Allegiance.

1. Roll Call

All members were present.

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2. Order of Agenda.

The Executive Officer, Dennis Dickerson, recommended the following changes to the agenda:

- ❑ *Continue item 3 (approval of the minutes of December 9 and December 20, 1999 board meetings until the January 31, 2000 special board meeting;*
- ❑ *Continue item 9.4 (Golden West Refining Company);*
- ❑ *Continue item 10.1 (Carrier Corporation);*
- ❑ *Continue item 12 (Sun Coast Calamari ACL);*
- ❑ *Continue item 13 (WDR and TSO for County of Los Angeles Trancas Water Pollution Control Plant);*
- ❑ *Remove item 14 (Ojai Valley Sanitation District ACL) – the penalty has been paid; and*
- ❑ *Continue item 15 (Los Angeles Turf Club ACL).*

4. Report of Nominating Committee and Election of Officers.

Jack Coe informed the Board that the nominating committee (Coe, Diamond, Cloke) would like to nominate the continuation of H. David Nahai as ongoing Chairman and Marilyn Lyon as ongoing Vice Chairman for the upcoming year.

MOTION: By Mr. Coe, seconded by Ms. Cloke, and approved on a voice vote.

5. Consideration of 2000 Board Meeting Schedule.

This item was continued from the December 9, 1999 regular board meeting. A motion was made to adopt the 2000 Board Meeting Schedule as proposed.

MOTION: By Ms. Diamond, seconded by Ms. Cloke, and approved on a voice vote.

6. Board Member Ex Parte Communication Disclosure.

Mr. Coe indicated that he received a call from Paul Schoenberger of the West Coast Central Basin Municipal Water Districts regarding item 9.2 (Wheelabrator Norwalk Energy Co.), to share his concerns of the effluent limits of the permit. Mr. Coe informed the Board that Mr. Schoenberger will comment on this during the public forum.

Chairman Nahai indicated that he received a call from the principal of the Charles Company regarding the Regional Board's enforcement procedures. He answered his general questions, but indicated he could not comment on any specific enforcement issue.

7. Uncontested Items Calendar.

There was a motion to adopt the consent calendar as items 9.1 – 9.3, 9.5, 9.6, 10.2 – 10.10 and item 16. Ms. Cloke informed the audience that item 16 was for adopting a resolution supporting the Safe Neighborhood Parks, Clean Water, Clean Air and Coastal Protection Bond Act of 2000.

MOTION: By Ms. Lyon, seconded by Ms. Cloke, and approved on a voice vote. Mr. Coe abstained from voting on item 9.3.

8. Public Forum

Richard Lambros, Vice President, Building Industry Association (BIA), gave a presentation to the Board expressing his concerns regarding the public comment procedure for item 11 (Standard Urban Stormwater Mitigation Plan). He asked the board to modify the procedure from allowing two 30-minute presentations to three 30-minute presentations. The additional group and time limits would be for BIA representatives and others in the regulated community.

Paul Shoenberger, West Basin/Central Basin Municipal Water Districts, gave a presentation to the Board expressing his concerns with the requirements proposed in item 9.2 (Wheelabrator Norwalk Energy Co.). He indicated that although the district is supportive of the permit, the effluent limits will not allow for recycled water.

STANDARD URBAN STORMWATER MITIGATION PLANS (SUSMP) PUBLIC HEARING

11. Report from staff and consideration of a Resolution regarding Standard Urban Stormwater Mitigation Plans (SUSMPs) which have been submitted to the Executive Officer pursuant to requirements of the Los Angeles County Municipal Stormwater Permit, Order No. 96-054.

The Executive Assistant read the opening statement and Chairman Nahai opened the public hearing by giving the oath to those testifying before the Board.

Dennis Dickerson gave a staff presentation providing background information on the issues related to the SUSMP. He informed the Board that the plan is one requirement from the Los Angeles County Municipal Stormwater Permit adopted by the Board in 1996. He stated that if the plan is adopted today, it would be a useful set of standards that developers and architects could use to design their projects in ways that will result in reducing urban runoff when it rains. The cities would use the SUSMPs to adopt their own enforceable ordinances and then apply them in their review and approval of project plans. He reminded the Board that the SUSMP standards will only apply to new development or substantial redevelopment projects within the SUSMP categories, and asked the Board to adopt the plan and resolution as recommended by staff.

Xavier Swamikannu gave a staff presentation providing more information on the SUSMP standards and numerical mitigation standard recommended by staff. He also provided results of staff's Best Management Practices (BMPs) cost analysis.

Jorge Leon, Legal Counsel, gave a presentation regarding the legal issues raised by the permittees and regulated community.

Dennis Dickerson, Xavier Swamikannu, and Jorge Leon answered several questions of the Board.

The following persons represented the environmental community and gave presentations to the Board (30 minute total presentation):

David Beckman, Natural Resources Defense Council (NRDC)

Alex Helperin, NRDC

Mark Gold, Heal the Bay

Heather Hoecherl, Heal the Bay

Andy Lipkis, Tree People

Melanie Winter, Friends of the Los Angeles River (FOLAR)

Terry Tamminen, Environment Now

The group of speakers answered questions of the Board. The Board recessed for a 10-minute break and reconvened.

The following persons represented the permittees and gave presentations to the Board (30-minute total presentation):

Margaret Clark, Mayor Pro Tem, City of Rosemead

Bart Doyle, Mayor, City of Sierra Madre

Desi Alvarez, Executive Advisory Committee (EAC)

Tom Kennedy, San Diego Water District

Richard Montevideo, Rutan and Tucker

Bob Collacott, URSC Woodward-Clyde Consultants

Neil Miller, City of Manhattan Beach

Tony Nisitch, City of Santa Clarita

The group of speakers answered questions of the Board. The Board recessed for lunch at 1:00 p.m. and reconvened at 2:00 p.m.

The following individuals gave presentations to the Board:

Alexis Strauss, U.S. EPA

Craig Perkins, City of Santa Monica

Sandy Brown, Representative for Senator

Tom Hayden (read statement from Senator Hayden)



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Eileen Ansari, Mayor Pro Tem,
City of Diamond Bar
Mark Pisano, Southern California
Association of Governments (SCAG)
Mike Bonin, Rep for Councilmember Ruth
Galanter, City of LA
John Claussen, California Restaurant
Association
Fred Phillips, Burger King Corporation
Rufus C. Young, Burke, Williams &
Sorenson
Ron Wilkiness, Western States Petroleum
Assoc. (WSPA)
David Freeman, himself
Tim Piasky, LA County Dept of Public
Works
Bruce Barrows, Gateway Cities Council of
Govts.
Arturo Cervantes, City of Vernon
Bonnie Teaford, City of Burbank
Marvin Sachse, Auto Recycling Industry
Richard Lambros, Building Industry Assoc.
(BIA)
Ken Sucilo, PSOMAS
Richard Watson, Richard Watson & Assoc.
Thomas Morrison, BIA
Lynn Jacobs, Ventura Affordable Homes
Dee Zinke, BIA
Ross Pistone, Newhall, Land & Farming
Co.
Ray Pearl, BIA
Tak Fujii, Shea Homes
Elaine Freeman, Urban Strategies

Charles Gale, BIA
Ramy Awad, B & E Engineers
Jacqueline Lambrichts, Friends of the San
Gabriel River
Heather Kuiper, Community Member
Karl Brusketter, Community Member
Gary Lee Moore, City of LA Stormwater
Mgmt Division
Julie Barr, Santa Monica BayKeeper
Angu Bera, Santa Monica BayKeeper
Dayna Harary, West Los Angeles
Conner Everts, S Calif Watershed Alliance
Shelly Magier, Community Member
Bob Warnock, LA River Task Force
Michael Huls, City of Diamond Bar
Marcia Hanscom, Wetlands Action Network
Bill Pope, Community Member
Ray Tahir, TEC Environmental Compliance
Ross Clark, Coastal Commission
Steven Braband, BioSolutions, Inc.
Leslie Mintz, Community Member
Charlie Reddin, City of Covina
Heather Leamirinda, City of Calabasas
Robert Wright, self
Royall Brown, Community Member

Staff answered questions of the Board. Jorge Leon responded to procedural issues related to this matter and advised Member Marilyn Lyon to abstain from voting as she is a council member for the City of Rancho Palos Verdes.

After extensive discussion of the members, the Board made a motion to direct the Executive Officer to adopt and amend the SUSMPs as indicated by the change sheet, and changes made by the members during the meeting. The changes included deletion of provisions that limited the applicability of the plan.

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MOTION: By Mr. Nahai, seconded by Ms. Cloke, and approved on a voice vote. Ms. Lyon abstained from voting on this matter.

Another motion was made to adopt the resolution as recommended by staff including amendments. As part of the Resolution, the Board adopted the same SUSMP requirements for the City of Long Beach. The motion included requiring all cities in Los Angeles County to meet the same deadline for implementation.

****Please see the change sheet attached for specific changes made to the SUSMP.**

MOTION: By Ms. Diamond, seconded by Ms. Cloke, and approved on a voice vote. Ms. Lyon abstained from voting.

INFORMATION ITEMS

17. Briefing of SB 709.

This item was continued until a future board meeting.

18. Board Member Communications.

This item was continued until a future board meeting.

19. Executive Officer's Report

This item was continued until a future board meeting.

20. Closed Lunch Session.

There was not a closed lunch session.

21. Adjournment of Current Meeting.

Adjournment of Current Meeting. The meeting adjourned at 6:45 p.m. until the next special board meeting on January 31, 2000.

Minutes adopted at the _____ Regular Board Meeting as submitted/amended.

Written and submitted by: _____.

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